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BAKER BOTTS L.L.P. 30 ROCKEFELLER PLAZA 44TH FLOOR NEW YORK, NY 10112-4498			HOANG, SON T	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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Office Action Summary	Application No. 10/509,442	Applicant(s) HOUSTON ET AL.	
	Examiner Son T. Hoang	Art Unit 2169	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 September 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-40 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 September 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>January 28 2005</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

The instant application having Application No. 10/509,442 has a total of 40 claims pending in the application; there are 4 independent claims and 36 dependent claims, all of which are ready for examination by the Examiner.

Oath/Declaration

1. The Applicant's oath/declaration has been reviewed by the Examiner and is found to conform to the requirements prescribed in **37 C.F.R. 1.63**.

Information Disclosure Statement

2. As required by **M.P.E.P. 609(C)**, the Applicant's submission of the Information Disclosure Statement dated January 18, 2005 is acknowledged by the Examiner and the cited references have been considered in the examination of the claims now pending. As required by **M.P.E.P 609 C(2)**, a copy of the PTOL-1449 initialed and dated by the examiner is attached to the instant office action.

Priority

3. The Applicant's claim for priority of Provisional Patent Applications No. 60/369,709 and No. 60/370,771 is confirmed. The Examiner takes the earliest filing date of April 3, 2002 into consideration.

Abstract

4. The abstract of the disclosure is objected due to the use of implied language. Note that in the abstract, the language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied,

such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc... See MPEP § 608.01(b). Correction is required.

Drawings

5. The drawings were received on September 28, 2004. These drawings are acceptable for the examination purposes.

Claim Rejections - 35 USC § 112

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. **Claims 4, 5; 6-9;** are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding **claim 4**, the claim refers to a "*reading step*" in **claim 1** whereas **claim 1** does not have any "*reading step*".

Regarding **claim 6**, the claim refers to a "*determining step*" in **claim 1** whereas **claim 1** has two "*determining*" steps on lines 5 and 6. It is unclear which step in **claim 1** that it refers to.

Claim Rejections - 35 USC § 102

8. The following is a quotation of the appropriate Paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this Section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the Applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the Applicant for patent, except that an international application filed under the treaty defined in section

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351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

9. Claims 1, 6-12; 13, 18-24; 25, 30-36; 37-40; are rejected under 35

U.S.C. 102(e) as being anticipated by Shoemaker et al. (Pub. No. US 2003/0167197, filed on June, 29 2001; hereinafter Shoemaker).

Regarding **claim 1**, Shoemaker clearly shows and discloses a method for accessing sales data ([0018]), comprising the steps of:

receiving a username and a password from a web page (*After visiting the Internet website and entering a valid username and password, the manager is provided access to the account management tool, [0018];*

identifying an account having the username and the password associated therewith (*Managers are provided with access to information based upon their particular clearance level, [0018];*

determining a service level associated with the identified account (*For example, a high-level manager may have access to information about various accounts handled by various account managers, while lower-level account managers may only be provided with access to information about those accounts for which they are responsible, [0018];*

determining at least one question that is authorized to be presented to the web page based on the determined service level associated with the account (*After a valid username and password is entered by an*

account manager, the account manager is provided an account listing page, [0019]; see Figure 2 for further illustrations);

populating a list control element of the web page with the at least one question (*The account manager may navigate the account listing page, and other pages of the account management tool accessible through the account listing page, [0019]; see Figure 2 for further illustrations).*

Regarding **claim 6**, Shoemaker further discloses a method, wherein the determining step is performed by a question and answer framework application (*Figures 2-8 show the process of querying and the results of the queries done by the "Customer Action System").*

Regarding **claim 7**, Shoemaker further discloses a method, wherein the question and answer framework application searches a database for the at least one questions based upon at least one of a plurality of appropriate service level indicators (*Figure 2 shows higher-level manager can view the report of a lower-level manager "Jane Smith").*

Regarding **claim 8**, Shoemaker further discloses a method, wherein the at least one of a plurality of appropriate service level indicators is the same as the service level (*Managers are provided with access to information based upon their particular clearance level based on their username and password combination, [0018]).*

Regarding **claim 9**, Shoemaker further discloses a method, wherein the at least one of a plurality of appropriate service level indicators is different from the service level (*Managers are provided with access to information based upon their particular clearance level based on their username and password combination*, [0018]).

Regarding **claim 10**, Shoemaker further discloses a method, wherein the at least one question includes at least one parameter (Figure 2).

Regarding **claim 11**, Shoemaker further discloses a method, further comprising the steps of:

receiving an indication upon a selection of one of the at least one question (*Figure 2 shows "EAST", "AMERICAS", "United States" and "Jane Smith" as selection indicator in the drop-down box*);

populating a further list control element of the web page with an at least one parameter (*Control buttons corresponding with items #43, #45*).

Regarding **claim 12**, Shoemaker further discloses a method, wherein the list control element is a drop down box (Figure 2).

Regarding **claim 13**, Shoemaker clearly shows and discloses a logic arrangement for accessing sales data ([0018]), wherein the logic arrangement is adapted for an execution by a processing arrangement to perform the steps comprising of:

receiving a username and a password from a web page (*After visiting the Internet website and entering a valid username and password, the manager is provided access to the account management tool, [0018];*

identifying an account having the username and the password associated therewith (*Managers are provided with access to information based upon their particular clearance level, [0018];*

reading a service level associated with the identified account (*For example, a high-level manager may have access to information about various accounts handled by various account managers, while lower-level account managers may only be provided with access to information about those accounts for which they are responsible, [0018];*

determining at least one question that is authorized to be presented to the web page based on the determined service level associated with the account (*After a valid username and password is entered by an account manager, the account manager is provided an account listing page, [0019]; see Figure 2 for further illustrations);*

populating a list control element of the web page with the at least one question (*The account manager may navigate the account listing page, and other pages of the account management tool accessible through the account listing page, [0019]; see Figure 2 for further illustrations).*

Regarding **claim 18**, Shoemaker further discloses a logic arrangement, wherein the determining step is performed by a question and answer framework application (*Figures 2-8 show the process of querying and the results of the queries done by the "Customer Action System"*).

Regarding **claim 19**, Shoemaker further discloses a logic arrangement, wherein the question and answer framework application searches a database for the at least one questions based upon at least one of a plurality of appropriate service level indicators (*Figure 2 shows higher-level manager can view the report of a lower-level manager "Jane Smith"*).

Regarding **claim 20**, Shoemaker further discloses a logic arrangement, wherein the at least one of a plurality of appropriate service level indicators is the same as the service level (*Managers are provided with access to information based upon their particular clearance level based on their username and password combination, [0018]*).

Regarding **claim 21**, Shoemaker further discloses a logic arrangement, wherein the at least one of a plurality of appropriate service level indicators is different from the service level (*Managers are provided with access to information based upon their particular clearance level based on their username and password combination, [0018]*).

Regarding **claim 22**, Shoemaker further discloses a logic arrangement, wherein the at least one question includes at least one parameter (*Figure 2*).

Regarding **claim 23**, Shoemaker further discloses a logic arrangement, further comprising the steps of:

receiving an indication upon a selection of one of the at least one question has been selected (*Figure 2 shows "EAST", "AMERICAS", "United States" and "Jane Smith" as selection indicator in the drop-down box*);

populating a further list control element of the web page with an at least one parameter (*Control buttons corresponding with items #43, #45*).

Regarding **claim 24**, Shoemaker further discloses a logic arrangement, wherein the list control element is a drop down box (*Figure 2*).

Regarding **claim 25**, Shoemaker clearly shows and discloses a system including a processor, a data warehouse, and an Internet connection ([0017]) capable of executing the steps comprising of:

receiving a username and a password from a web page (*After visiting the Internet website and entering a valid username and password, the manager is provided access to the account management tool, [0018]*);

identifying an account having the username and the password associated therewith (*Managers are provided with access to information based upon their particular clearance level, [0018]*);

determining a service level associated with the identified account
(For example, a high-level manager may have access to information about various accounts handled by various account managers, while lower-level account managers may only be provided with access to information about those accounts for which they are responsible, [0018]);

determining at least one question that is authorized to be presented to the web page based on the determined service level associated with the account *(After a valid username and password is entered by an account manager, the account manager is provided an account listing page, [0019]; see Figure 2 for further illustrations);*

populating a list control element of the web page with the at least one question *(The account manager may navigate the account listing page, and other pages of the account management tool accessible through the account listing page, [0019]; see Figure 2 for further illustrations).*

Regarding **claim 30**, Shoemaker further discloses a system, wherein the determining step is performed by a question and answer framework application *(Figures 2-8 show the process of querying and the results of the queries done by the "Customer Action System").*

Regarding **claim 31**, Shoemaker further discloses a system, wherein the question and answer framework application searches a database for the at least

one questions based upon at least one of a plurality of appropriate service level indicators (*Figure 2 shows higher-level manager can view the report of a lower-level manager "Jane Smith"*).

Regarding **claim 32**, Shoemaker further discloses a system, wherein the at least one of a plurality of appropriate service level indicators is the same as the service level (*Managers are provided with access to information based upon their particular clearance level based on their username and password combination, [0018]*).

Regarding **claim 33**, Shoemaker further discloses a system, wherein the at least one of a plurality of appropriate service level indicators is different from the service level (*Managers are provided with access to information based upon their particular clearance level based on their username and password combination, [0018]*).

Regarding **claim 34**, Shoemaker further discloses a system, wherein the at least one question includes at least one parameter (Figure 2).

Regarding **claim 35**, Shoemaker further discloses a system, wherein:

the processor is configured to receive an indication upon a selection of one of the at least one question has been selected (*Figure 2 shows "EAST", "AMERICAS", "United States" and "Jane Smith" as selection indicator in the drop-down box*); and

populate a further list control element of the web page with an at least one parameter (*Control buttons corresponding with items #43, #45*).

Regarding **claim 36**, Shoemaker further discloses a system, wherein the list control element is a drop down box (*Figure 2*).

Regarding **claim 37**, Shoemaker clearly shows and discloses a method for specifying sales data to be accessed as a basis for a report ([0018]), comprising the steps of:

(a) selecting one of an at least one question from a first list control element on a web page (*Figure 2 shows "EAST" as the first parameter to query for account listing*); and

(b) selecting at least one parameter from a second list control element on the web page (*Figure 2 shows "AMERICAS" as the second parameter in conjunction with first parameter "EAST" to narrow the query for account listing*), wherein the second list control element was created on the web page after the first selection of the one of the at least one question from the first list control element (*Figure 2 shows "AMERICAS" as the second parameter in conjunction with first parameter "EAST" to narrow the query for account listing. It is inherent that "District" was created first, then "Region" and then "Country"*) and wherein the second list control element was populated with the at least one parameter after the first selection of the one of the at least one question from the first list

control element (*Figure 2 shows "AMERICAS" as the second parameter in conjunction with the first parameter "EAST" to narrow the query for account listing. It is inherent that "EAST" was selected first then "AMERICAS"*).

Regarding **claim 38**, Shoemaker further discloses a method comprising: providing a username and password prior to the first selecting step (*Company managers are each provided with a username and a password for use when logging on to use the account management tool, [0038]*).

Regarding **claim 39**, Shoemaker further discloses a method, wherein the at least one question is generated at least in part based on the username and password (*Figure 2 shows the query for "EAST", "AMERICAS", "United States" as regular parameters as can be accessed by both lower-level and higher-level managers*).

Regarding **claim 40**, Shoemaker further discloses a method, wherein the at least one parameter is generated at least in part based on the username and password (*Figure 2 shows the query for "EAST", "AMERICAS", "United States" as regular parameters as can be accessed by both lower-level and higher-level managers. Furthermore, Figure 2 shows a special parameter "Jane Smith" as lower-level manager that can only be accessed by higher-level manager*).

Claim Rejections - 35 USC § 103

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

12. **Claims 2, 3, 14, 15, 26, 27;** are rejected under 35 U.S.C. 103(a) as being unpatentable over Shoemaker et al. (Pub. No. US 2003/0167197, filed on June, 29 2001; hereinafter Shoemaker) in view of Zawadzki et al. (Pat. No. US 7,107,268, filed on November 9, 1999; hereinafter Zawadzki).

Regarding **claims 2, 14 and 26;** Shoemaker does not explicitly disclose the identification step is performed by a security application.

Zawadzki discloses a typical session begins with a user logging-in to the project management server from the web interface. This is accomplished by typing in a user name and password. The user name and password are used to

define and determine user access rights in the security module ([Column 27, Lines 22-26])

It would be obvious to a person skilled in the art at the time of the invention to incorporate the teachings of Zawadzki with the teachings of Shoemaker for the purpose of defining and determining user access rights during the log-in process ([Column 27, Lines 22-26] of Zawadzki).

Regarding **claims 3, 15 and 27**; Shoemaker further discloses company managers are each provided with a username and a password for use when logging on to use the account management tool (*After visiting the Internet website and entering a valid username and password, the manager is provided access to the account management tool*, [0018]).

13. **Claims 4, 5, 16, 17, 28, 29**; are rejected under 35 U.S.C. 103(a) as being unpatentable over Shoemaker et al. (Pub. No. US 2003/0167197, filed on June, 29 2001; hereinafter Shoemaker) in view of Wright et al. (Pub. No. US 2002/0016910, filed on February 9, 2001; hereinafter Wright).

Regarding **claims 4, 16 and 28**, Shoemaker does not explicitly disclose the reading step is performed by a service application.

Wright discloses the web server performs a database lookup against the submitted username and password. If a match is found the web server uses the database to determine the client's access privileges ([0057]).

It would be obvious to a person skilled in the art at the time of the invention to incorporate the teachings of Wright with the teachings of Shoemaker for the purpose of building the user's homepage with allows pre-defined privileges ([0057] of Wright).

Regarding **claims 5, 17 and 29**, Shoemaker further discloses a method, wherein the service application searches a database for an account record having the username associated therewith, and reads the service level from the account record (*The web server performs a database lookup against the submitted username and password. If a match is found the web server uses the database to determine the client's access privileges, [0057]*).

Conclusion

14. These following prior arts made of record and not relied upon are considered pertinent to Applicant's disclosure:

Girn et al. (Pub. No. US 2003/0113727) teaches family history based genetic screening method and apparatus.

Eizenburg et al. (Pub. No. US 2002/0026336) teaches method and system for creating one or more customized travel web pages over a computer network.

Williams et al. (Pub. No. US 2002/00326112) teaches apparatus, systems and methods for online, multi-parcel, multi-carrier, multi-service parcel returns shipping management..

Holden et al. (Pub. No. US 2001/0032175) teaches system and method for an on-line industry auction site.

The examiner requests, in response to this Office action, support(s) must be shown for language added to any original claims on amendment and any new claims. That is, indicate support for newly added claim language by specifically pointing to page(s) and line no(s) in the specification and/or drawing figure(s). This will assist the examiner in prosecuting the application.

When responding to this office action, Applicant is advised to clearly point out the patentable novelty which he or she thinks the claims present, in view of the state of the art disclosed by the references cited or the objections made. He or she must also show how the amendments avoid such references or objections See 37 CFR 1.111(c).

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Son T. Hoang whose telephone number is (571) 270-1752. The Examiner can normally be reached on Monday - Friday (7:30 AM – 5:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mohammad Ali can be reached on (571) 272-4105. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business

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Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/S.H./

Son T. Hoang

Examiner

July 15, 2007


MOHAMMAD ALI
PRIMARY EXAMINER